

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

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U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
BIRMINGHAM DIVISION

**BRADLEY THOMAS and LAURIE
THOMAS,**

Plaintiffs,

v.

**NCB MANAGEMENT SERVICES,
INC. and JOHN HARDING,
INDIVIDUALLY,**

Defendants.

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CASE NO. CV1.06CV 165.DRB

ACCEPTANCE AND WAIVER

TROY KING, Attorney General of the State of Alabama, acknowledges service of the **Notice of Constitutional Challenge** in the above-styled cause pursuant to §6-6-227 *Code of Alabama*, 1975 (Attached). The Attorney General, having filed this Acceptance and Waiver in this action, hereby waives any further service upon him of any pleadings, discovery and other matters filed in this cause and presently waives the right to be heard.

Respectfully submitted,

TROY KING, KIN047
ATTORNEY GENERAL

Billington M. Garrett
BILLINGTON M. GARRETT, GAR029
ASSISTANT ATTORNEY GENERAL

CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of March 2006, served a copy of the foregoing by first-class United States Mail, postage prepaid and addressed upon the following:

Jeffrey L. Luther, Esquire
Luther, Oldenburg & Rainey, P.C.
Post Office Box 1003
Mobile, Alabama 36633

David G. Poston, Esquire
Espy, Metcalf & Poston, P.C.
Post Office Drawer 6504
Dothan, Alabama 36302



BILLINGTON M. GARRETT, GAR029
ASSISTANT ATTORNEY GENERAL

ADDRESS OF COUNSEL:
Office of the Attorney General
Alabama State House
11 South Union Street
Montgomery, Alabama 36130-0152
334-242-7300
334-353-8235 (Fax)

§6-6-227. Persons to be made parties; rights of persons not parties.

All persons shall be made parties, who have, or claim, any interest which would be affected by the declaration, and no declaration shall prejudice the rights of persons not parties to the proceeding. In any proceeding which involves the validity of a municipal ordinance, or franchise, such municipality shall be made a party and shall be entitled to be heard; and if the statute, ordinance, or franchise is alleged to be unconstitutional, the Attorney General of the state shall also be served with a copy of the proceeding and be entitled to be heard. (Act 1935, No. 355, p. 777; Code 1940, T.7, § 166.)